

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ISRAEL A. MADIYEV,
Petitioner

v.

ERIC HOLDER, et al.,
Respondents

No. 3:10cv605

(Judge Munley)
(Magistrate Judge Blewitt)

ORDER

AND NOW, to wit, this 6th day of May 2010, we have before us for disposition Magistrate Judge Thomas M. Blewitt's report and recommendation which proposes that we dismiss as moot Israel A. Madiyev's petition for a writ of habeas of corpus. No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in order to decide whether to adopt the report and recommendation, we must determine whether a review of the record evidences plain error or manifest injustice. FED. R. Civ. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983); 28 U.S.C. § 636(b)(1).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation.

1) The magistrate judge's report and recommendation (Doc. 6) is hereby **ADOPTED**;

2) The instant petition for a writ of habeas corpus is **DISMISSED** as moot; and

3) The Clerk of Court is directed to close this case.

BY THE COURT:


JUDGE JAMES M. MUNLEY
United States District Court